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## Economic Status of Profession

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## ECONOMIC STATUS OF PROFESSION

The natural reaction to the reading of this heading might reasonably be increased curiosity and hope of meeting with suggestions that would result in more bulging corners of the average practitioner's pocketbook. We do not wish to arouse false expectations, however, and so hasten to state that curiosity should be squelched and hope deferred, because we are going to deal with the very prosaic subject of supply and demand as it relates to the legal profession.

President Horack of the Iowa Bar Association seems to have made quite a survey and come to certain definite conclusions on the subject. He has tabulated this survey. Basing the figures upon normal supply for the U. S. at 100%, he shows, in the first column, the percentage of lawyers found in each State, and, in the second column, the number of lawyers the State should have for every 100 lawyers actually listed:

Iowa	.611	163	Vermont	1.028	97
Pennsylvania	.614	162	New Mexico	1.039	96
South Dakota	.618	161	Illinois	1.041	96
Wisconsin	.655	152	Virginia	1.053	94
North Dakota	.663	150	Nevada	1.067	93
Connecticut	.675	148	South Carolina	1.068	93
Kansas	.682	146	Montana	1.088	91
Rhode Island	.695	143	Oregon	1.094	91
New Hampshire	.700	142	Missouri	1.148	86
Delaware	.707	141	Idaho	1.152	86
Michigan	.719	139	Washington	1.154	86
Nebraska	.741	139	Alabama	1.220	81
Wyoming	.743	134	California	1.237	80
West Virginia	.750	133	Tennessee	1.239	80
Minnesota	.800	125	Florida	1.253	79
New Jersey	.887	112	Colorado	1.254	79
Utah	.909	110	New York	1.304	76
Louisiana	.910	109	Arkansas	1.335	74
North Carolina	.915	109	Mississippi	1.339	74
Ohio	.930	107	Maryland	1.381	72
Arizona	.950	105	Texas	1.430	69
Indiana	.966	103	Georgia	1.683	59
Massachusetts	.998	100	Kentucky	1.708	58
Maine	1.015	98	Oklahoma	1.876	53

The calculations, we understand, are based upon the population per lawyer in the U. S. and the percapita wealth, the last census being used. As figures they may tell the truth, and probably do; but Mr. Horack should hesitate about advising any lawyer, young or old, that North Dakota has only a 66.3% supply of lawyers, and that it can accommodate 150 for every 100 now in active practice. We quote from the address of C. C. Converse (then State Tax Commissioner) at the 1923 annual meeting of this Association:

"Of the 510 lawyers in the State, 40% of them, or 206, had incomes of sufficient size so that they were required to report, and among this 40% the average net income was \$3,412.00. This means that 60% of the lawyers had very modest incomes, indeed, incomes so

small that they were not required to report them; and this is rather a serious matter, because with incomes so small that they are not required to report them it must mean that 60% of the members of the profession are going to have a great deal of difficulty in assisting their children to obtain as good an education as they themselves possess."

Now, we believe in North Dakota. We believe that it is going to develop, industrially as well as agriculturally, and it is going to provide reasonable living for many more lawyers in time to come. For the present, however, with nearly 600 lawyers in active practice, we do not believe it wise to broadcast the information that North Dakota supplies a fair field for the shingles of 250 to 300 more lawyers. In fact, for the present, we believe in a protective tariff that includes these schedules: (1) higher educational standards, and (2) stricter admission rules for those coming from other states.

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### CANDIDATES FOR JUDICIAL POSITION

Attorneys of Chicago, Los Angeles, and some other local and state associations, have assumed the responsibility of informing the public concerning the names of those who, in the judgment of a majority of the lawyers of the particular community or state, may best serve the interests of that community or state by being elevated to judicial positions. In some instances direct nominations are made and campaigns sponsored. In others the qualifications of actual prospective candidates are made public. In still others lists are made up, long in advance, of those whose work marks them as available judicial timber.

Properly safeguarded as to secrecy of ballot, and properly regulated as to manner and method, a self-governing Bar like North Dakota's including, as it does, every member of the profession, might well consider the advisability of presenting to the people of the State, from time to time, groups of names for the various judicial positions. It is reasonable to suppose that selection might be made, from such groups or lists of names, with credit to the State, the Bench, the Bar, and the individual citizen casting a ballot at the general election.

This thought has been forcing itself forward for some time, but it is the Editor's personal expression, and has no standing as the viewpoint of the Association or its Executive Committee. It is presented at this time because there will be no campaigns or elections for another two years. The matter might, therefore, be approached in a proper spirit, and with regard only to the merits of the proposal.

No definite plan is suggested at this time, because it is not a matter for hasty action. It should receive careful and serious consideration, if attempted at all. So far as authority for the acceptance of this responsibility by the Bar is concerned, there is none at present, unless it is covered by that part of Article 9 of our Constitution, which reads: "Whenever a petition signed by not less than thirty members of this Association shall be presented to the President, asking that a vote of the members of the Association be had on any measure affecting the public interest, state or national, or by way of indorsement of candidates for